



Approved For Release 2002/08/14 : CIA-RDP82S00697R000400030003-0
UNITED NATIONS

THIRD CONFERENCE ON THE LAW OF THE SEA

Distr.
LIMITED

A/CONF.62/C.2/L.88
17 April 1975

ENGLISH
Original: SPANISH

Ecuador: DRAFT ARTICLES ON THE TERRITORIAL SEA

NATURE AND CHARACTERISTICS

1. The coastal State exercises sovereignty, beyond its coasts and its internal or archipelagic waters, over an adjacent area described as the territorial sea.

The coastal State also exercises sovereignty over the air space above the territorial sea, and over its bed and subsoil.

This sovereignty is exercised in accordance with the provisions of this Convention and allows a plurality of régimes in the cases and for the purposes indicated hereinafter.

2. By virtue of its sovereignty over the territorial sea, the coastal State shall adopt the measures necessary for its security and shall exercise jurisdiction particularly with respect to:

(a) The exploration, exploitation, conservation and administration of non-renewable and renewable resources, whatever the characteristics and habits of the latter may be;

(b) Other economic activities including the production of energy by utilization of water, currents and winds;

(c) The preservation of the marine environment, including control and elimination of pollution, having regard to the provisions of international conventions, co-operation with other States and the recommendations of international technical bodies;

(d) The authorization, regulation and control of scientific research, including participation in such research and in its results;

(e) The emplacement and use of artificial islands, installations, structures and devices of any kind;

(f) The relevant customs, fiscal, immigration and sanitary policies;

(g) The other rights inherent in the sovereignty of the coastal State.

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3. The rights of the coastal State shall be exercised without prejudice to the limitations established by this Convention.

4. Within the territorial sea the coastal State shall fix a limit near to its coasts within which the ships of all States shall enjoy the right of innocent passage. Beyond this internal limit, the ships and aircraft of all States shall enjoy freedom of passage over the territorial sea.

5. Within the internal limit of the territorial sea, the authorization of the coastal State shall be required for the laying of cables and pipelines. Beyond this internal limit any State, after previously informing the coastal State, may lay pipelines and cables and maintain them, without prejudice to the rights of the coastal State or to the provisions of this Convention relating to free transit.

6. The coastal State may allow the nationals of other States to exploit the living resources in the territorial sea, subject to the regulations which it may enact. Such regulations may relate, inter alia, to the following:

(a) Determining the species which may be caught and the size of the catch and fixing fishing quotas per vessel, period of time or voyage;

(b) Issuing certificates and licences for fishing and marine hunting;

(c) Regulating the periods and areas for fishing and marine hunting and the techniques and gear which may be used;

(d) Specifying the information required from fishing boats, including statistics of catches and casts, and information on the boat's position;

(e) Authorizing and regulating fishing research programmes;

(f) Landing of all or part of the catch at ports of the coastal State;

(g) Procedures and penalties applicable in cases of infringement.

7. Pursuant to the purposes indicated in article 6, the coastal State, taking into account the provisions of this convention relating to land-locked and geographically disadvantaged States, shall encourage the necessary co-operation with other States and with the competent international organizations.

8. Each coastal State has the right to establish the breadth of its territorial sea up to a distance not exceeding 200 nautical miles, measured from the applicable baselines.

9. The breadth of the territorial sea may be established by regional or sub-regional agreements.

10. The coastal State, when establishing the limits of its territorial sea in conformity with this Convention, shall take into account the pertinent geographical, biological, ecological, economic and social factors, and interests relating to the preservation of the marine environment and its own security and defence.